

REMARKS

Support for the above amendments to Claims 10 and 11 can be found in the specification on page 3, lines 13-15 and on page 6, lines 26-30. No new matter has been added by these amendments.

Claims 3-5 and 8-11 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Examiner stated that the claim limitation of a "diisocyanate" was confusing since polyphenyl polymethylene polyisocyanate is not difunctional.

It is respectfully submitted that this rejection is moot in view of the preceding amendments to Claims 10 and 11.

Claims 3-5 and 8-11 were rejected under 35 U.S.C. 112, first paragraph, for failing to comply with the enablement requirement. The specification was described by the Examiner as not being enabling for compositions in which the prepolymer is derived from substantial quantities of polyisocyanate.

Applicants respectfully submit that this rejection is also moot in view of the preceding amendments.

Claims 5, 8, 9 and 11 were rejected under the judicially created doctrine of obviousness-type double patenting over U.S. Application Serial No. 10/643,856, now issued U.S. Patent 6,930,162.

Applicants direct the Examiner's attention to the terminal disclaimer, being filed herewith. It is respectfully submitted that the present rejection is moot in view of this disclaimer.

In view of the preceding amendments and the enclosed terminal disclaimer, Applicants respectfully submit that each of the present rejections is moot. The allowance of Claims 3-5 and 8-11 is respectfully requested.

Respectfully submitted,

By



N. Denise Brown
Agent for Applicants
Reg. No. 36,097

Bayer MaterialScience LLC
100 Bayer Road
Pittsburgh, Pennsylvania 15205-9741
(412) 777-3804
FACSIMILE PHONE NUMBER:
(412) 777-3902

f:\shared\kpl\db158.ame

PO-7784

- 10 -